

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Davon William Jenkins,)	C/A No. 5:15-cv-03398-HMH-KDW
)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
)	
Officer Palmer,)	
)	
Defendant.)	
)	
)	
)	

Plaintiff, Davon William Jenkins, is a local detainee who filed this pro se action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. An Amended Complaint was filed on October 14, 2015. ECF No. 17; *see Houston v. Lack*, 487 U.S. 266, 271 (1988) (pro se prisoner’s pleading is deemed “filed” at moment of delivery to prison authorities for forwarding to district court). On January 21, 2016, Defendant filed a Motion for Summary Judgment. ECF No. 32. Because Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file adequate responses. ECF No. 35. Plaintiff was specifically advised that if he failed to respond adequately, Respondent’s motion may be granted, thereby ending this case. Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* Order, Plaintiff has failed to

respond to the Motion and the time for his response has now passed. As such, it appears to the court that Plaintiff does not oppose the Motion and wishes to abandon this action.

Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent's Motion for Summary Judgment by **March 30, 2016**. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

March 16, 2016
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge